



118 Lion Blvd • PO Box 187 • Springdale, UT 84767 • (435) 772-3434

PLANNING COMMISSION NOTICE AND AGENDA
THE SPRINGDALE PLANNING COMMISSION WILL HOLD A REGULAR MEETING
ON WEDNESDAY, APRIL 16, 2025, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER, 126 LION BLVD – SPRINGDALE, UT 84767

A live broadcast of this meeting will be available to the public for viewing/listening only.

****Please see the stream information below****

Approval of the agenda
General announcements
Declaration of Conflicts of Interest

A. Action Items

1. **Public Hearing:** Ordinance Revisions to Chapter 10-20 of the Town Code to Clarify Minimum Setback Requirements for Swimming Pools. Staff Contact: Niall Connolly
2. **Public Hearing:** Ordinance Revisions to Chapter 10-1-5 of the Town Code Regarding Certificates of Occupancy. Staff Contact: Thomas Dansie

B. Discussion / Non-Action Item

1. Discussion of Potential Revisions to the Town's Regulations of Accessory Buildings and Structures. Staff Contact: Thomas Dansie.

C. Adjourn

***To access the live stream for this public meeting,
please visit or click the link below:**

<https://www.youtube.com/@SpringdaleTownPublicMeetings>

APPROVED

Tom Kemm

DATE

4/16/25

This agenda was posted at the Springdale Canyon Community Center and Town Hall at

2:30

am/pm by

R. Romero

on

4.11.2025

NOTICE: In compliance with the Americans with Disabilities Act, individuals needing special accommodations or assistance during this meeting should contact Town Clerk Aren Emerson (435.772.3434) at least 48 hours before the meeting.

Packet materials for this meeting will be available at: <https://www.springdaletown.com/agendacenter/planning-commission-7>



**MINUTES OF THE SPRINGDALE PLANNING COMMISSION REGULAR MEETING ON
WEDNESDAY, APRIL 16, 2025, AT 5:00 PM
AT THE CANYON COMMUNITY CENTER,
126 LION BOULEVARD, SPRINGDALE, UT 84767**

The meeting convened at 05:00 PM.

MEMBERS PRESENT: Chair Tom Kenaston, Commissioners Terry Kruschke, Paul Zimmerman, Jennifer McCulloch, Rich Swanson, Mellisa LaBorde, and Matt Fink from Zion National Park.

ALSO PRESENT: Director of Community Development Tom Dansie, Principal Planner Niall Connolly, Zoning Administrator Kyndal Sagars, Town Clerk Aren Emerson, and Deputy Town Clerk Robin Romero, recording. See the attached sheet for attendees.

Approval of the Agenda:

Motion made by Jennifer McCulloch to approve the agenda. The motion was seconded by Rich Swanson.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

General Announcements:

Ms. Emerson announced there is a Community Shred Event in the Springdale Town Hall parking lot on Friday, April 18, 2025, from 11 a.m. to 1 p.m.

Declaration of Conflicts of Interest: No conflicts of interest were disclosed.

A. Action Items

1. **Public Hearing:** Ordinance Revisions to Chapter 10-20 of the Town Code to Clarify Minimum Setback Requirements for Swimming Pools. Staff Contact: Niall Connolly

Staff Presentation:

Mr. Connolly explained that the Planning Commission had reviewed the topic of minimum setbacks for swimming pools over several recent work meetings. At the previous meeting, the Commission reviewed draft ordinance language and provided recommendations for refinement. The purpose of the current public hearing was to present the revised ordinance and seek a recommendation from the Planning Commission.

He summarized the proposed revisions as follows:

- The ordinance now specifies that the required setback distance is measured from the water's edge, rather than from the pool deck or coping.

- It clarifies that if a conservation easement is less than five feet wide, the minimum setback from a neighboring property line is still five feet.
- In cases where parcels are closer than five feet apart, the ordinance prohibits pool drainage or discharge onto adjacent properties.
- The term "located" was replaced with "constructed" to prevent a neighboring pool from impacting a property owner's development rights. The updated language clarifies that a pool must not be constructed within the minimum setback distance from an adjacent property line or structure.

Mr. Connolly also addressed the previous discussion regarding slope stability. The Commission had considered whether excavation depth for pools should influence setback requirements. After the discussion, the Commission agreed that slope stability should be addressed separately in the grading ordinance. Based on that direction and input from the Town Engineer, language related to slope stability was removed from the current ordinance revision, and it would be brought forward at a future work meeting for further consideration.

Questions from the Commission:

Ms. McCulloch asked whether it would be advisable to wait for input from the Town Engineer before proceeding.

Mr. Connolly responded that the Commission had viewed the issue as comprising two separate concerns. One related to potential nuisances, such as pools being placed too close to neighboring properties. The other involved slope stability resulting from excavation. He explained that slope stability was a broader issue that extended beyond swimming pools and could apply to many types of construction. For that reason, it was better addressed through the grading ordinance. He stated that there was no apparent need to delay action on the swimming pool ordinance, but acknowledged it was up to the Commission to decide whether to proceed or wait.

Mr. Kenaston commented that since the matter had reached the public hearing stage, it might be awkward to delay the ordinance for an issue that had already been separated for future consideration under the grading ordinance. He expressed openness to further discussion.

Mr. Kruschke noted that input from the Town Engineer was expected as early as the next work meeting. Given that timeline, he believed the issue could be resolved quickly, and in the meantime, it was unlikely that any pools would be constructed. He supported proceeding with the current revision.

Mr. Swanson agreed, stating that slope stability considerations extended beyond swimming pools and could affect other types of construction. He believed addressing that issue through the grading ordinance made sense and saw no other reasons to delay.

The Commissioners agreed there were no further concerns and supported moving forward with the ordinance revision as presented.

Questions from the Public: There were no questions from the public.

Motion made by Terry Kruschke to open the Public Hearing. Seconded by Jennifer McCulloch.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Public Comment: There were no public comments.

Motion made by Rich Swanson to close the Public Hearing. Seconded by Jennifer McCulloch.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Commission Deliberation:

Mr. Kenaston remarked that the Commission had dedicated considerable time to the topic and that the proposed ordinance clarified how setbacks should apply to swimming pools. He noted that a five-foot setback appeared consistent with standards used in other communities and stated he had no issues with the ordinance as drafted.

Ms. McCulloch agreed and raised a question regarding the General Plan, specifically Sub-Goal F under Land Use and Town Appearance. She asked whether this sub-goal could be incorporated into the ordinance language as a condition, citing its reference to enhanced screening and buffering for commercial properties adjacent to residential uses. She wondered if the ordinance text should reflect this goal more directly.

Mr. Connolly explained that the General Plan served as the Town's overarching planning policy and was more appropriately referenced in the Commission's findings and rationale for the ordinance than included as a specific condition. He clarified that the General Plan supported the ordinance's intent but did not need to be codified within it.

Mr. Kruschke noted that the Town's ordinances already included a requirement for screening pools located on commercial sites. Mr. Connolly confirmed this was correct.

Mr. Kenaston recalled that the issue of screening for commercial swimming pools had originally been raised by a former Commissioner, who was concerned about the potential impact of such uses on nearby residential neighborhoods. He agreed that screening was a valid concern and could serve as a useful mitigation measure.

Mr. Kruschke suggested that the ordinance could include a cross-reference to the code section where commercial pool screening requirements were addressed. He felt this would help readers better understand that additional standards applied to commercial properties.

Mr. Connolly agreed and noted that section 10-7A-4(F) of the Town Code, which governs permitted use standards, included requirements for recreational facilities. Specifically, it states that outdoor commercial recreational facilities must be screened on all sides facing residentially zoned properties. He proposed that the new ordinance could include an additional subsection, possibly labeled subsection G, stating that commercial swimming pools must comply with the requirements of section 10-7A-4(F). He believed this cross-reference would be helpful for clarity and usability.

Motion made by Terry Kruschke that the Planning Commission recommends approval of the proposed changes to Chapter 10-20 of the Springdale Town Code regarding setbacks for swimming pools as discussed in the Commission's meeting on April 16th, 2025. This motion is based on the following findings:

- 1. This addition to the Springdale Town Ordinances will help protect the character of residential neighborhoods in Springdale and further the objectives of Sub-Goal F, Section One of the Springdale General Plan, which aims to ensure residential areas enjoy peace and privacy.**

The motion includes the following condition:

- 1. Add Item G to the ordinance referencing Section 10-7A-4(F), which refers to commercial recreational facilities, including commercial pools, in addition to these ordinances.**

Second by Paul Zimmerman.

Discussion of the motion: Mr. Swanson questioned whether they would include an additional item G. Mr. Kruschke added the condition as part of his motion.

Vote on Motion:

Kenaston: Aye

Kruschke: Aye
Zimmerman: Aye
Swanson: Aye
McCulloch: Aye
The motion passed unanimously.

2. **Public Hearing:** Ordinance Revisions to Chapter 10-1-5 of the Town Code Regarding Certificates of Occupancy. Staff Contact: Thomas Dansie

Staff Presentation:

Mr. Dansie explained that the proposed ordinance would revise the Town's procedures for issuing certificates of occupancy. Under the current practice, the Town issued a Certificate of Occupancy when a project was found to comply with both building and applicable land use codes. However, recent clarification from the State of Utah specified that certificates of occupancy are intended solely to verify compliance with building codes. Using them as a mechanism to enforce land use regulations was no longer appropriate.

As a result, the Town was required to amend its ordinance to align with this updated state guidance. The proposed changes reflected this shift. During a prior work meeting, the Planning Commission had reviewed a draft of the ordinance and suggested a few modifications.

One suggestion was to include a provision allowing the Director of Community Development to sign a Certificate of Occupancy in the absence of the building inspector. This language was added. Another recommendation was to reference the state's allowance for a few narrow circumstances in which a Certificate of Occupancy may still be withheld for non-building code issues. That reference was also incorporated.

Aside from these additions, the ordinance remained essentially the same as the version reviewed by the Commission. Mr. Dansie reiterated that the revision's intent was to clarify that certificates of occupancy would now be issued based strictly on building code compliance. The Town would continue to enforce land use requirements, but such enforcement would be handled separately through the code enforcement process and not through the issuance or withholding of a Certificate of Occupancy.

Questions from the Commission: There were no questions from the Commission.

Questions from the Public: There were no questions from the public.

Motion made by Paul Zimmerman to open the Public Hearing. Seconded by Terry Kruschke.
Kenaston: Aye
Kruschke: Aye
Zimmerman: Aye
Swanson: Aye
McCulloch: Aye
The motion passed unanimously.

Public Comment: There were no public comments.

Motion made by Jennifer McCulloch to close the Public Hearing. Seconded by Rich Swanson.
Kenaston: Aye
Kruschke: Aye
Zimmerman: Aye
Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

Commission Deliberation:

The Commission noted that the ordinance appeared consistent with what had been reviewed during the prior work meeting. They agreed it was straightforward and clearly implemented the changes required by the State. Members acknowledged that the revision appropriately separated land use compliance from the Certificate of Occupancy process, in accordance with state guidance.

Motion made by Jennifer McCulloch that the Planning Commission recommend approval of the proposed changes to Chapter 10-1-5 of the Town Code regarding the process for issuing Certificates of Occupancy as presented and discussed in the April 16th, 2025, Planning Commission meeting. This motion is based on the following findings:

1. These changes are consistent with the requirements of the Utah State Code.
Second by Terry Kruschke.

Discussion of the motion: There was no further discussion.

Vote on Motion:

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.

B. Discussion / Non-Action Item

1. Discussion of Potential Revisions to the Town's Regulations of Accessory Buildings and Structures. Staff Contact: Thomas Dansie.

Staff Presentation:

Mr. Dansie explained that the Planning Commission had addressed this topic over the course of several prior work meetings. At the most recent meeting, the Commission reviewed near-final ordinance language and requested a few additional revisions. The purpose of the current discussion was to present the updated draft for final input before scheduling a public hearing.

He summarized the proposed changes to section 10-20-8, which regulated accessory structures. Paragraph E was updated to specify that applicants must follow the new process when requesting an exception. It allowed property owners to request an exemption from the standard development requirements for accessory structures when such an exception would reduce the structure's visual impact.

At the Commission's request, additional language was added to clarify the process for submitting such a request and to outline the materials an applicant would be required to provide. Paragraph F introduced a new provision, which detailed the submittal requirements. To support an exception request, the applicant would need to provide a complete Design Development Review (DDR) package for the structure as proposed in its code-compliant location. In addition, they would need to submit a secondary set of materials for the requested exception location. This would include an updated site plan, grading plan, floor plans, building elevations, and cross-sections specific to the proposed exception. He clarified that a second full DDR would not be required; only the components that materially differed due to the proposed location needed to be submitted.

The Planning Commission also requested that the applicant provide photo simulations of the structure from the code-compliant and proposed exception locations. The revised ordinance now requires photo simulations to be submitted from all four cardinal directions for both configurations, allowing the Commission to evaluate visual impacts comprehensively.

Mr. Dansie concluded that these revisions were intended to provide applicants with clear direction while giving the Commission the information needed to make informed decisions regarding exception requests.

He explained that the new section governing total allowable development on a residential property had been renumbered from 10-20-16 to 10-20-17 due to the swimming pool ordinance. This section outlined how much total square footage could be developed on a property and under what conditions an additional building could be permitted.

At the Commission's request, revisions were made to the development table, particularly for the largest lot categories in each zone. The revised language permitted up to 9,000 square feet of total development, plus one additional accessory building.

As in previous drafts, the criteria for allowing the additional building were no longer based on separation distances from the main building. Instead, eligibility was now determined by whether the proposed building site, specifically, the location of the new accessory structure, qualified as a "normal parcel building site" under visual impact standards. This evaluation applied to the building site only and was independent of the location of the primary residence or other structures on the lot.

If the site met the standard, the additional structure could be up to 1,250 square feet or 3,000 square feet for sufficiently large properties. This represented a reduction from the previous 4,000-square-foot allowance.

The shift from distance-based criteria to visual impact-based evaluation would be applied uniformly across all zones.

The final change to the proposed section 10-20-17 involved paragraph C, which previously limited properties to a total of four accessory structures. The Commission agreed to allow a fifth structure if at least one of the five was 200 square feet or less.

Mr. Dansie explained that the revised language was drafted to permit five total structures on the property, provided that at least one of them was under 200 square feet. The intent was to ensure that the order in which structures were constructed would not prevent a property owner from adding a small accessory building. The key requirement was that one of the five structures must be 200 square feet or less.

Questions and Commission Discussion:

Mr. Kruschke noted that section 10-20-8(B) retained the term "accessory buildings," while other sections had updated the term to "accessory structures." He asked whether this reference should also be changed for consistency.

Mr. Dansie responded that it could be updated. He explained that he had initially retained the term "buildings" because it was unlikely that an unenclosed structure, such as a pergola, would be used as a dwelling. However, for consistency and clarity, he agreed it would be appropriate to change the term to "accessory structures."

Mr. Kruschke then raised concerns about the implications of the 1.5-times setback multiplier in section 10-20-8(A)(1), particularly for front setbacks in zones such as VR-S. He pointed out that a standard 30-foot front setback would increase to 45 feet for an accessory structure over 12 feet tall, and in areas where the required setback is 50 feet (e.g., SR-9), the multiplier would raise the setback to 75 feet. He questioned whether such increases were appropriate and suggested limiting the multiplier to side and rear setbacks, since accessory structures were already required to be located behind or beside the primary structure.

Mr. Kenaston acknowledged that the Commission had primarily focused on the Foothill Residential (FR) Zone and visual impacts from the valley floor. He agreed the observation was valid and worth further consideration.

Mr. Swanson expressed support for increasing setbacks for accessory buildings, particularly from the front, to ensure that the main house remained the visually prominent structure.

Mr. Kruschke suggested a potential compromise, proposing that the multiplier could apply to setbacks but be capped at a maximum increase, for example, no more than 10 or 15 additional feet, rather than strictly applying the 1.5 ratio. He was concerned that requiring a 75-foot front setback could severely limit buildable space, particularly on smaller or irregular lots.

Mr. Kenaston asked whether such a limitation would apply only to specific zones.

Mr. Kruschke suggested it could be limited to the VR zone.

Mr. Zimmerman referred to section 10-20-8(A)(2), which stated that accessory structures must be located to the side or rear of the primary structure, except as allowed by 10-20-8(E). He pointed out that the language did not explicitly prohibit placement in front of the main building.

Mr. Kruschke proposed clarifying the language to specify that the front of the accessory structure could not be located closer to the street than the front of the primary structure.

Mr. Swanson asked how "front" was defined for the purposes of the ordinance.

Mr. Kruschke explained that it was generally defined by street access, most often tied to the property's assigned address.

Mr. Dansie added that, while this was usually clear on properties along SR-9 or similar streets, the definition became more complex on lots with winding or unconventional road access. In such cases, identifying the front of the property was less straightforward.

Mr. Swanson asked whether language was needed to address properties where the front could not be easily determined.

Mr. Dansie recommended addressing that issue more broadly throughout the code rather than within the accessory structures section. He suggested adding it to the Commission's list of future cleanup items.

The Commission concluded by agreeing that the 1.5-times setback multiplier should only apply to accessory structures in the Foothill Residential (FR) Zone.

The Commission agreed they were comfortable with the proposed changes to section 10-20-17, including the revisions to the development table, visual impact criteria, and the allowance for a fifth structure under 200 square feet. They confirmed they were ready to move the item forward to a public hearing.

C. Adjourn

Motion made by Paul Zimmerman to Adjourn at 05:46 p.m. The motion was seconded by Jennifer McCulloch.

Kenaston: Aye

Kruschke: Aye

Zimmerman: Aye

Swanson: Aye

McCulloch: Aye

The motion passed unanimously.



A handwritten signature in blue ink, appearing to read "Robin Romero", written over a horizontal line.

Robin Romero, Deputy Town Clerk

APPROVAL: _____

A handwritten signature in blue ink, appearing to read "Paul Zimmerman", written over a horizontal line.

DATE: 5/21/25

A recording of the public meeting is available on the Town's YouTube Channel at [youtube.com/@SpringdaleTownPublicMeetings](https://www.youtube.com/@SpringdaleTownPublicMeetings). For more information, please call 435-772-3434 or email springdale@springdale.utah.gov.



PO Box 187 118 Lion Blvd Springdale UT 84767

ATTENDANCE RECORD

Please print your name below

Meeting PLANNING COMMISSION REGULAR Date 04/16/2025

ATTENDEES:

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